IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9406 of 1993

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHAGWANLAL KAPURCHAND & J B MODI CHARITABLE TRUST

Versus

STATE OF GUJARAT

Appearance:

NANAVATI & NANAVATI for Petitioner No. 1-2

MRS MANISHA LAVKUMAR SHAH, AGP, for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 24/11/2004

ORAL JUDGEMENT

1. The petitioner has challenged the letter dated 29th June 1993 addressed to the Principal, B.K. Mody Government Pharmacy College, Rajkot, by the Director of Technical Education, Gujarat State and the letter dated 6th July 1993 addressed to Shri J.B. Mody, Bhagvanlal K. Mody and Smt Jayakuvar B. Mody Charitable Trust by the

Primcipal, B.K.Mody Govt. Pharmacy College, Rajkot, whereby the respondent showed their inability to give admission on Doner's Seat in First Year B. Pharm Class.

2. The issue raised in the present petition is squarely covered by the ratio laid down by the Supreme Court in the case of State of Gujarat Vs. Meghji Pethraj Shah Charitable Trust and others, reported in JT 1994(3) SC 96 and in the case of Unnikrishnan J.P. Vs. State of A.P., reported in JT 1993(1) SC 474.

3. Learned counsel for the petitioner is unable to dispute this position. Under the circumstances the prayers claimed in the present petition cannot be granted. The petition is, therefore, rejected. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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